

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK JONES,

Plaintiff,

CASE NO. 10-CV-11604

v.

HON. GEORGE CARAM STEEH

THOMAS PARLING,
LINDA BUCKHOLZ, and
JASON THOMAS,

Defendants.

ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION (#55) AND DENYING PLAINTIFF'S
REQUEST FOR INJUNCTIVE RELIEF (#44)

Plaintiff Mark Jones, a prisoner currently in the custody of the Michigan Department of Corrections, alleges that defendants violated his constitutional rights by fabricating misconduct reports and security classification documents in order to increase plaintiff's custody level. Plaintiff claims these actions were taken in retaliation for plaintiff's attempt to seek a pardon or commutation of sentence from the Michigan Parole Board. After the June 14, 2010 order of this court, only this retaliation-based § 1983 claim against the three individual defendants remains. On February 16, 2011, plaintiff filed a request for injunctive relief, seeking an order directing defendants to reclassify his custody level. On August 15, 2011, Magistrate Judge Whalen issued a report and recommendation that the court deny plaintiff's request for injunctive relief. Plaintiff has not filed objections to the report and recommendation, and the deadline for doing so has passed. The court has reviewed the report and recommendation, and in

the absence of timely objection,

The court hereby ACCEPTS and ADOPTS Magistrate Judge Whalen's August 15, 2011 report and recommendation and DENIES plaintiff's request for injunctive relief.

SO ORDERED.

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: September 8, 2011

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on September 8, 2011, by electronic and/or ordinary mail and also to Mark Jones #22308 at SHAR Macomb, 6902 Chicago Road, Warren, MI 48092.

S/Marcia Beauchemin
Case Manager/Deputy Clerk